

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. *Applicant/Contact name and address:* Juniper Bay Investment Group, LLC, Pisk Development, LLC, GRT Development, LLC
2. *Type of action:* Application for Beneficial Water Use Permit 30027436-76LJ
3. *Water source name:* Groundwater Wells (2)
4. *Location affected by action:* NW of section 35, T 27N, R 21W, Flathead County.
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311, MCA are met. The applicants propose to divert water from two drilled wells at a rate of 39.3 gpm up to 34.42 acre-feet annually for use in 40 apartments and on 2.51 acres of lawns and gardens. Water will be delivered to tracts 6D, 6E, 6F, 6G, 7, 7I, and 7O by way of a manifold community water system.
6. *Agencies consulted during preparation of the Environmental Assessment:*
(include agencies with overlapping jurisdiction) MT DEQ, MT FW & P website, MT Natural Heritage Program, the MT Historical Society and the Flathead County Planning office.

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: Water quantity from this source does not appear to be an issue.

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: No impact anticipated. This system will be connected to a public sewer system.

Groundwater - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: Initial testing did not identify any adverse impacts.

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

Determination: One well is already completed. Drilling of a second production well is not expected to cause an adverse impact to others in the area.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

Determination: An old bald eagle nest site was identified approximately 1.5 miles SW of this action location. No impacts are anticipated by the action.

Wetlands - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: Not applicable

Ponds - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: Not applicable

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: No soil stability problems are foreseen. No saline seep is known to occur in this area.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: The control of all noxious weeds will be the responsibility of the applicants.

AIR QUALITY - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

Determination: No impacts.

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.

Determination: No historic sites were identified on any of the parcels.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - Assess any other impacts on environmental resources of land, water, and energy not already addressed.

Determination: No identified

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

Determination: This action is consistent with other developments in the immediate area.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

Determination: No impacts

HUMAN HEALTH - Assess whether the proposed project impacts on human health.

Determination: None anticipated

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No_X_. If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination:

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

(a) Cultural uniqueness and diversity? Potential for slight impacts.

(b) Local and state tax base and tax revenues? Moderate increase in tax revenues.

- (c) Existing land uses? Some changes in land usage after the buildings are constructed.
 - (d) Quantity and distribution of employment? Slight to no impact.
 - (e) Distribution and density of population and housing? Moderate impacts to others in the area due to the housing density.
 - (f) Demands for government services? Some increase in government service with the increase in area population and additional traffic.
 - (g) Industrial and commercial activity? None
 - (h) Utilities? Some increase in demand for power, phone lines and natural gas connections.
 - (i) Transportation? Moderate impacts due to increase in population.
 - (j) Safety? Moderate impacts use to traffic and population increases.
 - (k) Other appropriate social and economic circumstances? None identified.
2. ***Secondary and cumulative impacts on the physical environment and human population:*** No secondary or cumulative impacts are anticipates as a result of this action.
 3. ***Describe any mitigation/stipulation measures:*** None are justified at this time.
 4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** The no action alternative would prevent the applicants from developing their properties. Pumping water from Flathead Lake is another undesirable alternative. Limiting the number of units and using single wells exempt from the DNRC permitting process for each unit is possible, but not the preferred alternative.

PART III. Conclusion

Based on the significance criteria evaluated in this EA, is an EIS required? No

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: Because no secondary, significant or cumulative impacts were identified as a result of this action, the EA is the appropriate level of analysis for the action.

Name of person responsible for preparation of EA:

Name: Wes McAlpin

Title: Water Resources Specialist, Kalispell RO

Date: July 18, 2007